

James R. Dickens
MILLER NASH LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101-2352
Telephone: (206) 622-8484

Hon. Ralph R. Beistline

Peter Gruenstein
GRUENSTEIN & HICKEY
Resolution Plaza
1029 W. 3rd Avenue, Suite 510
Anchorage, AK 99501
Telephone: (907) 258-4338

Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MYRNA I. JOHNSON,

Plaintiff,

v.

FRED MEYER STORES, INC., a Delaware
corporation; and JAIME SAN MIGUEL,

Defendants.

Case No. 1J-04-008-CV (RRB)

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ATTORNEYS AT LAW
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DEFENDANTS' PROPOSED VOIR DIRE

Per the Court's Pretrial Order, defendants submit the proposed voir dire for the jury to be impaneled at the beginning of this trial.

1. The parties to this lawsuit are Myrna Johnson, the plaintiff, and the defendants, the Fred Meyer Store in Juneau, and Jaime San Miguel. Do any of you know Ms. Johnson? Do you know any member of her family? Are you familiar with the Fred Meyer store in Juneau? With Fred Meyer stores in general? Do you know Mr. San Miguel? Do you know any present or former employees of Fred Meyer?

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2. The attorneys for Ms. Johnson are Mark Choate and Jessica Srader from the Choate Law Firm in Juneau. Do any of you know either Mr. Choate or Ms. Srader? Do you know any of the lawyers or staff at the Choate Law Firm in Juneau?

3. The attorneys for Fred Meyer are James Dickens of the Miller Nash law firm and Peter Gruenstein of Gruenstein & Hickey in Anchorage. Do any of you know Mr. Dickens? Do you know Mr. Gruenstein? Do you know any of the other attorneys or staff at either the Miller Nash firm or the Gruenstein & Hickey firm?

4. There will be various witnesses called during the trial in this case. On behalf of plaintiff, Myrna Johnson will testify. Other potential witnesses include Jaime San Miguel, Fred Sayre, Johnna Havard, Julita Lim, Jeff Smith, Dennis Affleck, Ken Haverkost, and Mary Lucas Hill. Do you know any of these potential witnesses for either plaintiff or defendant?

5. Have any of you ever had personal dealings with Ms. Johnson?

6. Have any of you ever had personal dealings or business dealings, either on behalf of yourself or of your employer, with Fred Meyer? Have any of you ever had complaints or problems with Fred Meyer?

7. Have any of you ever been employed in retail?

8. Have any of you ever been employed by Fred Meyer or had any family member employed by Fred Meyer?

9. Have any of you ever been involved in litigation previously?

10. Have any of you ever been involved in an employment dispute, grievance, arbitration or lawsuit?

11. Have any of you ever been a supervisor of other employees?

12. Have any of you ever been involved in making decisions on counseling employees?

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13. Has any of your immediate family ever been involved in a grievance, arbitration, or lawsuit involving employment issues?
14. Have any of you ever had prior experience as a juror?
15. Have any of you ever shopped at the Fred Meyer store in Juneau?
16. Do any of you have any doubts or concerns that you could be completely fair to an employer, such as Fred Meyer, in a wrongful discharge case such as this one?
17. Have any of you heard or read anything about this case?
18. Do any of you have difficulty in hearing or reading?
19. Do you have a spouse who has ever been a supervisor or manager?
20. Do you have a spouse who has ever fired anyone?
21. Have either you or your spouse ever been terminated from a position?
22. Have any of you ever served on a prior jury? Was it a civil case?
23. Do any of you anticipate any difficulty following the court's instructions regardless of what you believe the law is or ought to be?
24. Do you have any religious or philosophical views which may cause you to feel uncomfortable sitting as a juror and making a judgment about the parties and a claim which is disputed?
25. Have any of you ever been a witness in a court proceeding?
26. Do any of you have family members who are involved in the legal process, either the police, prosecutor's office, or the court system?
27. Do any of you know anyone connected with the courts or the judicial system?
28. Do any of you have a physical condition or an ailment which would make it uncomfortable for you to sit and listen to a trial for several hours per day?
29. Do any of you have difficulty hearing me?
30. Is there anything about this case that makes you think that you would rather sit as a juror on another kind of case?

31. We anticipate this case may take about seven or eight trial days. Would this present a significant hardship for any of you?

RESPECTFULLY SUBMITTED this 1st day of October, 2007.

MILLER NASH LLP

s/ James R. Dickens

Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101-2352
Phone: (206) 622-8484
Fax: (206) 622-7485
E-mail: jim.dickens@millernash.com
ABA No. 0610063

GRUENSTEIN & HICKEY

s/ Peter Gruenstein

Gruenstein & Hickey
Resolution Plaza
1029 W. 3rd Avenue, Suite 510
Anchorage, AK 99501
Phone: (907) 258-4338
Fax: (907) 258-4350
E-mail: ghlaw@gci.net
ABA No. 7910079

Attorneys for Defendants

Certificate of Service

I hereby certify that on October 1, 2007,
a copy of the foregoing was served
electronically on:

Mark Choate
lawyers@choatelawfirm.com

s/ James R. Dickens